



Auditing Assess and Address

How to audit risks related to the Assess and Address system

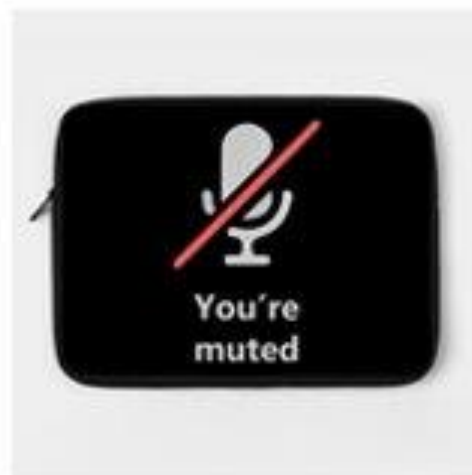
House rules



Please turn on
camera



For questions,
please raise
hand / post a
message in the
chat



Please mute
when others
speak

QUIZ

1. a case of discrimination being found automatically leads to non-certification
2. there must absolutely be a **committee** in charge of assess and address
3. Assess and Address includes matters of gender equality

Agenda

- Auditing the requirement
- Assess and Address Monitoring Tool
- Preparing the audit
 - Documents
- Conducting the audit
 - Observations
 - Interviews
- Case studies
- Q&A

Learning Objectives

- Auditors and Certifiers know how to verify the Assess and Address system.
- Auditors and Certifiers can identify risks related to the A&A approach through the certification process.
- Auditor and Certified understand what define the concepts of Child Labour, Discrimination, Forced Labour and Workplaces violence & Harassment.

Auditing Assess and Address

More information about upcoming section

Assess and Address Requirement 5.1

Goal is not to do detective work, but to audit the SYSTEM

Risk assessment

Remediation
measures

Knowledgeable
contact person

Appropriate
Documentation

Material and
financial means
available

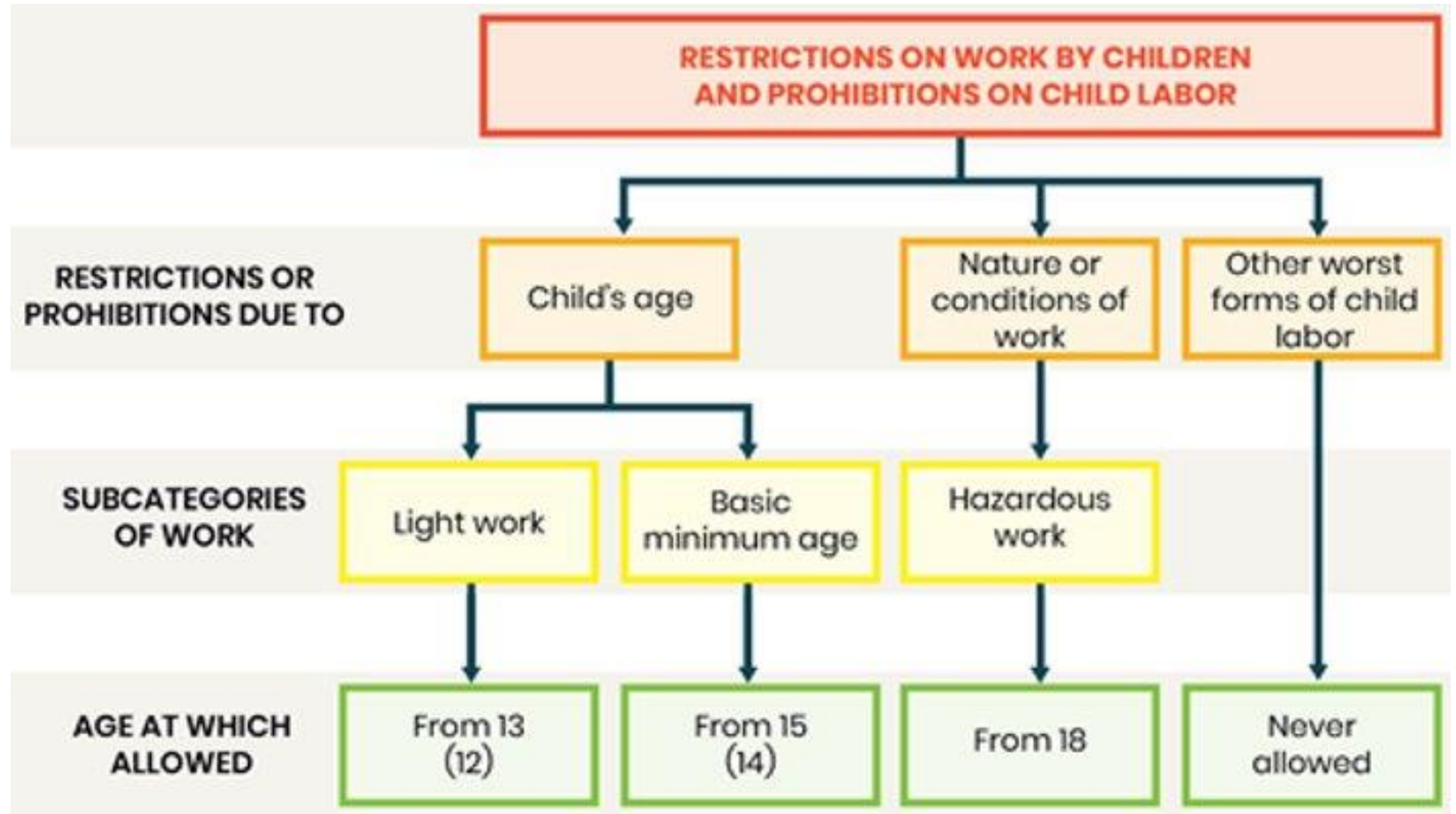
UP TO DATE

Child labor

= Work that is banned for children because:

- It is one of the **worst forms of child labor**, such as slavery and forced labor.
- The work is **hazardous**, meaning it is mentally, physically, socially or morally dangerous and harmful to children
- Children are **too young** to perform the task.
- It stops them from going to **school**.





Child labor is not the same as Child Work

Age

8-12 years old

- Take care of babies
- Prepare food
- Collect fallen cocoa pods
- Uproot weeds around trees

13-14 years old

- Fetch water and water seedlings
- Scoop and remove beans
- Fill bags with soil
- Carry minor loads ($\leq 30\%$ of their body weight)

15-18 years old

- Assist in planting
- Pluck pods within hand reach
- Break pods with non-sharp tools
- Carry loads ($\leq 30\%$ of their body weight)

Type of work

Time of work

Cannot interfere with school hours or rest time
Cannot be too early or too late
Limited hours of work per week

Forced Labor

Involuntary



Coercion

Abuse of vulnerability -
Deception - Restriction of
movement - Isolation -
Physical and sexual
violence - Intimidation
and threats - Retention of
identity documents -
Withholding of wages -
Debt bondage - Abusive
working and living
conditions - Excessive
overtime

Discrimination

= Unequal opportunities or labor conditions because of:

- Nationality, color, race, ethnic group,
- Gender, sexual orientation
- Physical condition (illness, disability, pregnancy etc.)
- Religion, political or union affiliation, etc.



Workplace violence and harassment

= Behaviour that causes or is aimed at causing physical, psychological, sexual or economic harm to a worker

For example:

- Sexual harassment
- Verbal abuse
- Physical violence



Assess and Address Monitoring Tool

Monitoring Tool : group fills in and can be used to assess compliance

Section 2: Basic monitoring framework

All farms/groups must complete this section

	Assess & Address committee	Response	Details
	Does the committee have at least one representative of management, at least one worker representative?	Yes/No	Names of representatives
	Have all committee members taken the RA online training module on Assess & Address, similar trainings, or have other qualifications that demonstrate their understanding of child labor, forced labor, discrimination, and workplace violence and harassment?	Yes/No	What qualifications?
	How has the committee ensured that the members are trusted by workers?		Explain

Potential questions to ask according to topic and to interviewee to assess compliance

Questions on Child Labor	Questions on Forced Labor	Questions on Discrimination	Questions on Workplace Violence and Harassment
Questions for Households:	Questions for Workers/Unions or other Workers' Organizations:	Questions for Workers/Unions, committees or other workers organizations:	Questions for workers/unions, committees or other workers organizations
Are the children enrolled in school? If so, in which year?	<i>(Choose questions based on worker population, crop, what fits local context)</i>	<i>Ask questions to representatives of vulnerable groups like migrant workers, female workers, workers from other cultural background than local population, etc.</i>	<i>Ask questions especially to young male and female workers and to female workers or persons who are in close contact with them</i>
Are the children regularly attending school?	Do you know any workers who wish to leave/stop working but feel they can not? If not, why do they feel they can not?	Do workers of the group you represent/you are part of experience that their wages are lower than wages for other groups of workers who do the same work?	Do workers (especially young and/or female workers) feel safe in their workplace?

Preparing for Audits

Auditing rules

Audit preparation – Specific risk identification

Subject	Activity	Location	Period	Description	Ranking
Child Age 15 - 17	Spraying Pesticides	Field	November	During the children's holidays they support the spraying team to earn some pocket money.	
Child Age 10 - 13	Weeding	Field	All year	Children are helping their parents with manual weeding, without any adult supervision, for several hours a day	
Migrant workers	Opening pods	Field	Harvest	Workers from neighbouring countries come during the harvest to gain employment in the cocoa farms	

Documents provided by RA

- Risk maps: all the countries in West Africa are at High Risk of Child Labor and Forced Labor = in depth risk assessment*
- Farm Risk Assessment tool
- Monitoring Tool
- Severity Test**

Question	Yes /No	Details / clarification
Is the situation of the worker/child life-threatening?		If yes, issue is severe even if none of the other answers are "yes."
Does the issue have the potential to cause lasting impact on the physical and/or psychological wellbeing of the worker/child?		If yes, issue is severe even if none of the other answers are "yes."
Is this a systemic incident, meaning there are multiple cases of this issue at this CH and the issue is rooted in a management practice?		"Yes" to this question on its own does not make the issue severe, but in combination with one other "yes," it is severe.
Is there evidence that farm management/staff knew that the issue was taking place, but approved/continued the practice?		"Yes" to this question on its own does not make the issue severe, but in combination with one other "yes," it is severe.



Document review

Use the chat function to write down things that you would review before the audits.

Document that need to be paid special attention to during the audit can also be noted in the appropriate section.



Document review

- Registration data
- GMR
 - Workers under 18
 - Migrant workers
- List of workers employed by group members
- Is there an assigned agent / committee? Are they competent? (qualifications)
- Has the agent/committee signed conflict of interest agreements?
- Is there a clear procedure for the reporting and handling of cases?
- Risk assessment (updated)
- Management Plan
- Remediation Protocol (implemented. With evidence)
- Monitoring records (cases reported, actions, cases solved, sanctions)
- Assess and Address monitoring tool
- Stakeholder consultation

Stakeholder consultation

Must be done in preparation of the audit.

Must be done for Child Labor AND Forced Labor. If the stakeholders are similar, can be combined up to a certain point

- Identify risks
- Identify relevant stakeholders

Stakeholder analysis

- Prepare relevant questions
- Back and forth emailing
- interview

Stakeholder interviews

- Pay attention to A B C
- Identify documents to verify

Adjust audit plan accordingly

3 stakeholders

2.5h total

Child Labor & Forced Labor

Stakeholder consultation

Stakeholders differ per context,

You can see some examples in the image

Think about:

- What are local institutions of importance
- What are village institutions and sites that might have relevant insight (e.g. schools, health centers)
- Are there organizations/ individual experts working on the areas CL/FL/FoA?



Example

Conducting the Audit

Auditing rules



Interview

Use the chat function to note examples of people that would need to be interviewed.

You can also note the kind of questions to ask, or the topics to touch upon



Interview

- ❑ Committee/responsible person: are they knowledgeable?
- ❑ Group members: are they trained? Are they aware of the laws?
- ❑ Group members: are they aware of their rights and of the functioning of the committee?
- ❑ Children: do they go to school? Do they work on the farm?
 - ❖ Interviews with children must be group interviews as much as possible. Can be accompanied by parents or responsible adult
- ❑ Teachers in the community, neighbors, workers from partner organizations
 - ❖ Interview a sample of producers, group management workers, permanent workers, temporary workers, men, women, etc.

IMPORTANT

When conducting worker interviews, it is key to remember:

- Audit team ensures that management
 - ...Does not participate in selection of workers to interview.
 - ...Is not present during any interview with workers.
 - ...shall ensure that workers will not suffer any type of retaliation, shall not lose pay for the time dedicated to interviews.
- Audit team
 - Protects confidentiality
 - Allows, in case worker requires it, a worker representative or union delegate to participate in the interview.
 - Ensures workers are not interviewed in their free time



Interviewing children

NOTE: audit team may suggest some psychological, medical or social assistance for the child, if they believe that the child is in immediate danger, a temporary safehouse or shelter for the child, always ensuring the best interests of the child are of primary concern.

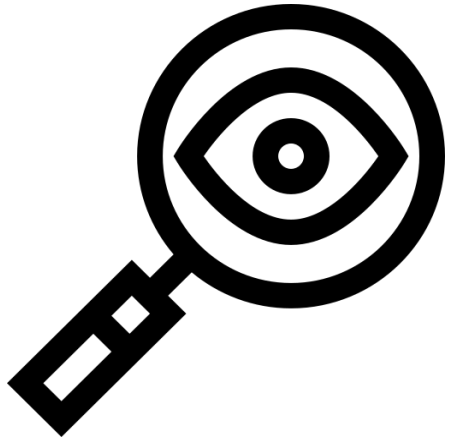
- First interview children together in a group interview, only perform individual interviews if necessary
- Prevent any risk arising to the children participating in interviews
- Obtain consent from the children, (if present, also from their parents or legal guardian)
- Ensure permission from supervisors for employees including children to answer questions during paid time
- Clearly explain prior to the interview:
 - the aim,
 - the process, including at least the reasons for having a conversation with the child/children,
 - the confidentiality,
 - how the information may be used and what the rights of the children are in this process
 - Who they can turn to in case they have questions after the interview (always leave contact information after the interview for follow up questions)
- Option (this depends on children's preference, not the auditors) presence of a trusted adult
- Appropriate location for interviews (safety and privacy of the children)
- Time and location that children suggest or prefer
- Age-appropriate language for children
- Let children answer in their own words

On site verification

Use the chat function to note examples of things that you would need to check during the on-site audit.

Where or how would you get that information? How would you cross check the evidence gathered?





On site verification

- **On site:**

- School attendance list
- List of trainings (topics, date, attendance, content, ...)
- Notice board with information about A&A (in local languages, with pictograms, etc.)
- School attendance of children
- Working conditions of workers
- Workers have access to their documentation
- Do informations in the Risk Assessment reflect practices at farm level?
- Management has resources to support the plan and remediations
- Cross check implementation of mitigation, remediation and management actions concord
- NCs identified by auditor also identified in the risk assessment
- Evidence that mitigation and remediation measures are implemented



Assess-and-Address (AR 4.3, point 23)

If an audit team identifies a case of CL/FL/D/WVH, the following applies:

Please note:
For NCs, full remediation completed before next audit and maximum 50 weeks from last day of audit (see also 1.7.10d)

Please note:
CB reserves the right to cancel/ not issue if there is a violation of applicable law (see also 1.7.23)

	Was the case identified by the CH already?	Was the case Remediated according to the Protocol?	Need to perform Severity Test by CB	Consequence
1	Yes	Yes	No	No NC
		No	Yes	- Non-severe: NC on remediation requirement (5.1.4) - Severe: Certificate <u>shall</u> be suspended / cancelled / not issued
2	No	n.a.	Yes	- Non-severe: NC monitoring requirement (5.1.3) - Severe: Certificate <u>shall</u> be suspended / cancelled / not issued

Note: If *more time is needed* for the Test, the active license and certificate are *suspended*

Case studies

Instructions

MAKE SURE TO NOTE YOUR GROUP NUMBER!

Read the case assigned to your group

Appoint one note taker and presenter per group

With your group, fill in the non-conformity form

- What are the related requirements?
- What evidence should be gathered?
- Who should be interviewed?
- What would be acceptable correction, corrective action and evidence of closure?

EXTRA In sight of this case, should other requirements be given special attention?
Are other non-conformities related to this requirement?

Take **15 minutes** to discuss the case with the group and fill in the table.

Each group will then have **5 minutes** to discuss their findings in plenary

Case 1

Scenario: A group is working with an external organization to set up their Assess and Address system. While setting up the system, they uncover many cases of Child Labor. Because the system is very new, no actions have yet been taken to remediate those cases. The audit of the group is coming very soon and the group is afraid that their certification will be refused based on the multiple cases of Child Labor with no remediation measures to demonstrate.

Root cause: The producers were not aware of all the elements that constitute Child Labor. Because the Assess and Address system is just being put in place, no remediation measures have been taken yet and the group has nothing to show in terms of remediation.

Case 1 - findings

- What are the related requirements?
- What evidence should be gathered?
- Who should be interviewed?
- What would be acceptable correction, corrective action and evidence of closure?
- **EXTRA! Other requirements? Other NCs?**

Case 2

Scenario: In a group, many of the members hire workers to help during the peak harvest seasons. The workers are paid by the day. However, it is found that the workers are not all paid equally. The women are paid about half of the normal wage on the basis that they should have husbands to provide for them, and migrant workers are paid about 75% of the normal wage on the basis that the cost of life in their country of origin is lower so they do not need to have an equal pay. The workers were only made aware of that difference once they were given their wage at the end of the season.

Root cause: The group members need the labor to harvest, but they do not have a lot of disposable income. That is why they can only pay their workers at the end of the season once they sell the cocoa, and they need to cut cost wherever possible. They were not aware that all workers, no matter their sex or origin, had to be paid the same.

Case 2 - findings

- What are the related requirements?
- What evidence should be gathered?
- Who should be interviewed?
- What would be acceptable correction, corrective action and evidence of closure?
- **EXTRA! Other requirements? Other NCs?**



Q&A

Resources

E-course

Annex S3

Annex S4

Guidance L

Guidance E

Auditor Verification Protocol

Certification and Auditing Rules Annexes **8, AR4.3, AR4.4, AR 4.5**



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